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Attorneys for Defendants

SELECT PORTFOLIO SERVICING, INC., WELLS FARGO BANK, N.A., AS  
TRUSTEE, ON BEHALF OF THE HOLDERS OF THE HARBORVIEW  
MORTGAGE LOAN TRUST MORTGAGE LOAN PASS-THROUGH  
CERTIFICATES, SERIES 2007-1 and NATIONAL DEFAULT SERVICING  
CORPORATION

**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN DIVISION**

MARSHALL S. SANDERS and LYDIA O.  
SANDERS AS TRUSTEE OF THE  
MARSHALL AND LYDIA SANDERS  
TRUST DATED APRIL 20, 1990,

Plaintiffs,

vs.

BANK OF AMERICA, N.A.; WELLS  
FARGO BANK, N.A., AS TRUSTEE, ON  
BEHALF OF THE HOLDERS OF THE  
HARBORVIEW MORTGAGE LOAN  
TRUST MORTGAGE LOAN PASS-  
THROUGH CERTIFICATES, SERIES 2007-  
1; NATIONAL DEFAULT SERVICING  
CORPORATION; SELECT PORTFOLIO  
SERVICING, INC.; and DOES 1-20

Defendants.

CASE NO. 8:15-cv-00935-AG-AS

*Hon. Andrew J. Guilford*

**REQUEST FOR JUDICIAL  
NOTICE IN SUPPORT OF  
DEFENDANTS' NOTICE OF  
MOTION AND MOTION TO  
DISMISS PLAINTIFFS' FIRST  
AMENDED COMPLAINT**

Date: October 26, 2015

Time: 10:00 a.m.

Place: Courtroom 10D

[Filed concurrently with: (1) Motion  
to Dismiss; and (2) [Proposed]  
Order]

FAC Filed: September 8, 2015

Complaint Filed: June 11, 2015

Defendants Wells Fargo Bank, N.A., as Trustee, on behalf of the Holders of the Harborview Mortgage Loan Trust Mortgage Pass-Through Certificates, Series 2007-1 (“Wells Fargo”), National Default Servicing Corporation (“NDSC”) and Select Portfolio Servicing, Inc. (“SPS” and collectively, “Defendants”) hereby respectfully request that the Court take judicial notice of the following documents, and the contents thereof, under Federal Rule of Evidence 201. “Under Fed. R. Evid. 201, a court may take judicial notice of ‘matters of public record.’” *Mack v. South Bay Beer Distrib.*, 789 F.2d 1279, 1282 (9th Cir. 1986).

1. Attached as Exhibit 1 is a true and correct copy of the Deed of Trust recorded in the Official Records, County of Orange, as Instrument Number 2007-00008779 on January 5, 2007.

2. Attached as Exhibit 2 is a true and correct copy of the Corporate Assignment of Deed of Trust (“Assignment-1”) recorded in the Official Records, County of Orange, as Instrument Number 2009-00698145 on December 30, 2009.

3. Attached as Exhibit 3 is a true and correct copy of the Assignment of Deed of Trust (“Assignment-2”) recorded in the Official Records, County of Orange, as Instrument Number 2011-0620147 on December 6, 2011.

4. Attached as Exhibit 4 is a true and correct copy of the Substitution of Trustee recorded in the Official Records, County of Orange, as Instrument Number 2013-063386 on January 31, 2013.

5. Attached as Exhibit 5 is a true and correct copy of the Notice of Default and Election to Sell Under Deed of Trust, recorded in the Official Records, County of Orange, as Instrument Number 2013-0138230 on March 6, 2013.

6. Attached as Exhibit 6 is a true and complete copy of the Corporate Assignment of Deed of Trust (“Assignment-3”), recorded in the Official Records, County of Orange, as Instrument Number 2014-0273238 on July 9, 2014.

7. Attached as Exhibit 7 is a true and correct copy of the Notice of Trustee’s Sale recorded in the Official Records, County of Orange, as Instrument Number 2014-

1 0438612 on October 29, 2014.

2 8. Attached as Exhibit 8 is a true and correct copy of the docket in the  
3 bankruptcy case of *In re Marshall Sanders*, Case No. 8:10-bk-14682-ES (the “First  
4 Bankruptcy Case”), filed in the United States Bankruptcy Court for the Central District  
5 of California (Santa Ana) on April 12, 2010.

6 9. Attached as Exhibit 9 is a true and correct copy of the docket in the  
7 bankruptcy case of *In re Marshall Sanders*, Case No. 8:11-bk-24594-ES (the “Second  
8 Bankruptcy Case”), filed in the United States Bankruptcy Court for the Central District  
9 of California (Santa Ana) on October 10, 2011 and dismissed on August 21, 2012.

10 10. Attached as Exhibit 10 is a true and correct copy of the docket in the  
11 bankruptcy case of *In re Marshall Samuel Sanders*, Case No. 8:13-bk-14049-ES (the  
12 “Third Bankruptcy Case”), filed in the United States Bankruptcy Court for the Central  
13 District of California (Santa Ana) on May 7, 2013 and dismissed on October 4, 2013.

14 11. Attached as Exhibit 11 is a true and correct copy of the docket in the  
15 bankruptcy case of *In re Marshall Sanders*, Case No. 8:14-bk-11663-ES (the “Fourth  
16 Bankruptcy Case”), filed in the United States Bankruptcy Court for the Central District  
17 of California (Santa Ana) on March 18, 2014 and dismissed on September 18, 2014.

18 12. Attached as Exhibit 12 is a true and correct copy of the *Notice of Motion*  
19 *and Motion for Relief From the Automatic Stay Under 11 U.S.C. § 362 (with*  
20 *Supporting Declarations) (Real Property)* filed on August 26, 2014 in Case No. 8:14-  
21 bk-11663-ES.

22 13. Attached as Exhibit 13 is a true and correct copy of the *Order Dismissing*  
23 *Case with 180-Day Bar to Re-Filing and Awarding United States Trustee Quarterly*  
24 *Fees in the Amount of \$650* entered on September 18, 2014 in Case No. 8:14-bk-11663-  
25 ES.

26 14. Attached as Exhibit 14 is a true and correct copy of the *Order Denying*  
27 *Motion for Relief From the Automatic Stay Under 11 U.S.C. § 362* entered on  
28 September 22, 2014 in Case No. 8:14-bk-11663-ES.

1           15. Attached as Exhibit 15 is a true and correct copy of the Voluntary Petition  
2 for relief filed by Plaintiff Marshall Sanders in Case No. 8:15-bk-13011-ES.

3           16. Attached as Exhibit 16 is a true and correct copy of the of the docket in the  
4 bankruptcy case of *In re Marshall Sanders*, Case No. 8:14-bk-13011-ES (the “Fifth  
5 Bankruptcy Case”), filed in the United States Bankruptcy Court for the Central District  
6 of California (Santa Ana) on June 15, 2015.

7           17. Attached as Exhibit 17 is a true and correct copy of the Tentative Ruling  
8 issued in *In re Marshall Sanders*, Case No. 8:14-bk-13011-ES.

9           18. Attached as Exhibit 18 is a true and correct copy of the Order and Notice  
10 of Dismissal issued in *In re Marshall Sanders*, Case No. 8:14-bk-13011-ES.

11           19. Attached as Exhibit 19 is a true and correct copy of the Notice of Ruling  
12 on OSC RE: Preliminary Injunction filed in *Sanders, et al. v. Bank of America, N.A.,*  
13 *et al.*, Orange County Superior Court Case No. 30-2014-00757782.

14           20. Attached as Exhibit 20 is the Notice of Ruling on Demurrer to Plaintiff’s  
15 Complaint and Case Management Conference filed in *Sanders, et al. v. Bank of*  
16 *America, N.A., et al.*, Orange County Superior Court Case No. 30-2014-00757782.

17           21. Attached as Exhibit 21 is the Request for Dismissal filed in *Sanders, et*  
18 *al. v. Bank of America, N.A., et al.*, Orange County Superior Court Case No. 30-2014-  
19 00757782.

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**Locke Lord LLP**  
300 South Grand Avenue, Suite 2600  
Los Angeles, CA 90071

1 Dated: September 25, 2015

Respectfully submitted,

2 LOCKE LORD LLP

3  
4 By: /s/ Aileen Ocon

5 Conrad V. Sison

6 Aileen D. Ocon

7 Attorneys for Defendants SELECT  
8 PORTFOLIO SERVICING, INC.,  
9 WELLS FARGO BANK, N.A., AS  
10 TRUSTEE, ON BEHALF OF THE  
11 HOLDERS OF THE HARBORVIEW  
12 MORTGAGE LOAN TRUST  
13 MORTGAGE LOAN PASS-THROUGH  
14 CERTIFICATES, SERIES 2007-1 and  
15 NATIONAL DEFAULT SERVICING  
16 CORPORATION  
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**CERTIFICATE OF SERVICE**

I, Aileen Ocon, an attorney, do hereby certify that on September 25, 2015, I electronically filed the foregoing **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF DEFENDANTS' NOTICE OF MOTION AND MOTION TO DISMISS PLAINTIFFS' FIRST AMENDED COMPLAINT** with the Clerk of the Court using the electronic case filing system, which will send notification of such filings to the parties registered with the Court's CM/ECF system.

I further certify that a copy was served via U.S. Mail on September 25, 2015 on the following:

Marshall S. Sanders  
Lydia O. Sanders  
1621 Kensing Lane  
Santa Ana, California 92705-3074  
*Plaintiffs, Pro Se*

Dated: September 25, 2015

By: /s/ Aileen Ocon  
Aileen Ocon